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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,565	12/18/2000	Vaijayanthimala K. Anand	AUS9-2000-0592-US1	4520

7590 03/11/2004

Duke W. Yee,
Carstens, Yee & Cahoon, LLP
P.O. Box 802334
Dallas, TX 75380

EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/11/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/740,565

Applicant(s)

ANAND ET AL.

Examiner

Mohammad A Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Chatwani et al. (5,739,685) (hereinafter Chatwani).
4. As per claims 1, 10, 14, 21, 25, and 26, Chatwani discloses a method for retrieving client boot information in a network environment with multiple boot servers (col 4, lines 15-18), comprising:
 - sending an initial request for client configuration (col 26, lines 12-16) information (fig 2, element 203, col 23, lines 39-40) to a first boot server (col 34, lines 35-36);

if the client configuration information (col 26, lines 12-16) is not found (col 32, lines 65-67, correct information must be checked during the process) on the first boot server, sending a list request for a boot server list (col 33, lines 16-54, first to next shows the order) to the first boot server (col 12, lines 5-6);
receiving the boot server list; and
sending a configuration information request (col 26, lines 12-16) for the client configuration (col 26, lines 12-16) information to each server (col 12, lines 5-6) in the boot server list (col 33, lines 16-54, first to next shows the order) until the client configuration information is found (col 32, lines 65-67) or a request has been sent to every server in the boot server list (col 33, lines 16-54, first to next shows the order).

5. As per claims 2, 11, 15, and 22, Chatwani discloses at least one of the initial request (col 34, lines 20-23), the list request (col 34, lines 20-23), and the configuration information request is a trivial file transfer protocol request (col 26, lines 12-16)

6. As per claims 3, 16, Chatwani discloses receiving, from the first boot server, an error message that indicates that the client information is not found on the first boot server.

7. As per claim 4, Chatwani discloses receiving the client configuration information from an associated boot server in response to the client configuration information being found (col 34, lines 13-15, selected means associated).

8. As per claim 5, Chatwani discloses sending a boot file request for remaining boot files to the associated boot server based on the client configuration information (col 34, lines 13-15, selected means associated).

9. As per claims 6, and 18, Chatwani discloses determining whether the: entries in the boot server list were pre-ordered (col 33, lines 16-31, first to next shows the order), in order to better support load balancing (col 26, lines 48-54) among boot servers (col 33, lines 32-41, prior to transmission to the client (col 33, lines 32-41); and

if the list is found to be ordered (col 33, lines 16-31, first to next shows the order), sending a configuration information request for the client

configuration information to each server in the boot server list in the order given (col 33, lines 16-54, first to next shows the order).

10. As per claims 7 and 19, and 23, Chatwani discloses sending a configuration information request for the client configuration (fig 2, element 203, col 11, lines 15-20) information to each server in the boot server list in order of: increasing network distance (col 6, lines 15-16), where distance is estimated from available network configuration information (col 6, lines 5-16) when there was no indication that the order of the original boot server (col 12, lines 5-6) list was optimized in order to better support load balancing (col 26, lines 48-54).

11. As per claims 8 and 20, Chatwani discloses wherein the method is performed by a network bootstrap program (col 5, lines 29-45).

12. As per claim 9, Chatwani discloses wherein the method is performed on a client computer (col 34, lines 18-20).

13. As per claim 12, Chatwani discloses adding an indication to the boot server list to inform the client that the list is being provided in optimal order

to support load balancing among boot servers (col 26, lines 48-54 and col 6, lines 15-16).

14. As per claims 13 and 24, Chatwani discloses wherein the method is performed on a boot server (col 34, lines 34-57).

15. As per claim 17, Chatwani discloses means for receiving the client configuration information from an associated boot server in response to the client configuration information being found (col 33, lines 16-54, first to next shows the order); and means for sending a boot file request for remaining boot files to the associated boot server based on the client configuration information (col 34, lines 13-15, selected means associated).

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent 6345294 to O'Toole et al.

U.S. Patent 6079033 to Jacobson et al.

U.S. Patent 5,996086 to Delaney et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100